



REPLY TO
ATTENTION OF

STATE OF CALIFORNIA – MILITARY DEPARTMENT
HEADQUARTERS, CALIFORNIA CADET CORPS
CAMP SAN LUIS OBISPO
10 SONOMA AVENUE, BUILDING 1301
SAN LUIS OBISPO, CALIFORNIA 93405-7605

CACC-HQ-XO

9 June 2016

MEMORANDUM FOR: CACC Summer Camp 2016 Participants

SUBJECT: Cadet Protection at Summer Camp 2016

1. We are in the process of writing a regulation regarding cadet protection within the California Cadet Corps. That document is not ready for publication, so this memo will serve as policy for the CA Cadet Corps Summer Camp 2016 at Camp San Luis Obispo, including transportation to and from Camp.

2. Key Organizational Policies.

a. The Cadet Environment. California Cadet Corps (CACC) conducts its program in a positive, safe, age-appropriate environment that follows a military model emphasizing Cadet Corps traditions and values. Cadets have opportunities to lead, encounter challenges, and have fun as they work.

b. Commitment to Safety. CACC's policy asserts that there is no place for physical, sexual, or emotional abuse in any of its programs. CACC will report to law enforcement all reasonable suspicions of child abuse and other criminal activity as required by local law, and it will cooperate with law enforcement investigations.

c. Scope. This policy governs all participants in the CACC Summer Camp, applying to all CACC members, cadets and commandants, adult volunteers, chaperones and any non-members who may have any interaction with CACC cadets. When non-CACC members, such as guest speakers, trainers, or visitors interact with cadets, CACC members will supervise to ensure that the non-CACC adults adhere to basic, socially acceptable norms. Non-members who are working with cadets (i.e. military members, school chaperones) will be briefed on this policy prior to working with cadets.

3. Definitions. In the context of this policy, the terms below carry the following definitions:

a. Abuse. *California State law defines child abuse as (1) physical injury inflicted on a child by another person, (2) sexual abuse, or (3) emotional abuse. Child neglect is defined as negligent treatment which threatens the child's health or welfare. See (CPC 11164)*

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(1) Actions can violate this policy without rising to actual abuse. See “boundary concerns” in 1-2f.

(2) In CACC’s military-style training environment, it is important to distinguish emotional *abuse*, which by definition inflicts *serious harm*, from an inappropriately high training intensity, which though momentarily unpleasant is not abusive because it does not inflict *serious harm*. See 2-5 for guidance on training intensity.

b. Sexual Abuse. Building upon the definition of “abuse” in the paragraph above, cadet sexual abuse includes:

(1) All sexual contact between an adult leader/volunteer/chaperone, and a cadet, regardless of whether there is deception or the cadet understands the sexual nature of the activity is violation of the law as defined in Chapter 1, 1-2 b.

(2) Sexual contact that is accomplished by force or threat of force, regardless of the age of the participants;

(3) Sexual contact between an older and a younger cadet if there is a significant disparity in age, development, or size, rendering the younger cadet incapable of giving informed consent and

(4) Sexual penetration, sexual touching, or non-contact sexual acts such as exposure or voyeurism.

c. Reasonable Suspicion of Abuse. A CACC member may form a reasonable suspicion of abuse when two factors are present: first, the member has specific, credible information that a cadet has been hurt or harmed by another person, and second, another experienced adult leader would suspect abuse if given the same information. It is possible to have a *reasonable suspicion* of abuse without having *proof* of abuse.

d. Hazing. Hazing is defined as any conduct whereby someone causes another person to suffer or to be exposed to any activity that is cruel, abusive, humiliating, oppressive, demeaning, or harmful.

(1) By definition, hazing is a form of abuse.

(2) Questions of hazing often pertain to the intensity level of military-style training in cadet programs. Training intensity is evaluated in context. For example, a training intensity that is too stern and demanding in class at school may be appropriate at Summer Camp.

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e. Boundary Concern. A boundary concern occurs when a member's action might not be considered a best practice without meeting the definition of abuse or hazing. Akin to a gray area.

f. Adult Supervisors. CACC has a number of membership categories available to adults who serve in a supervisory and mentoring role over cadets. The terms "assistant commandant, volunteer and chaperone" are used in this policy as a shorthand for all adults who supervise cadets, but the terms do not include cadets.

g. Field Conditions. Field conditions are off-road, backcountry training environments that are not in a standard classroom setting.

4. Decorum & Fraternalization.

a. Decorum. All members are expected to conduct themselves in a professional and appropriate manner throughout Summer Camp.

b. Cadet-to-Cadet Fraternalization. Regardless of the relationship cadets may have at home, cadets will not engage in any sexual or romantic behavior at Summer Camp, to include inappropriate touching or displays of affection by kissing, hugging, or similar conduct.

c. Adult Leader-to-Cadet Fraternalization. Adult supervisors will not have an intimate romantic relationship with a cadet at any time during Summer Camp, regardless of the circumstances. Relationships between adult supervisors and cadets will remain professional at all times. Adults will not hang out, party, or engage in any sexual or romantic activity with cadets.

5. Universal Standards of Practice. These standards apply across all aspects of the CACC Summer Camp.

a. Proximity of Supervisor. Because each physical environment, mixture of cadets' grades and ages, and nature of activity is different, CACC does not set a firm rule regarding the proximity between a group of cadets and their adult supervisor. If supervisors do not have direct line of sight contact with cadets, they must nevertheless be aware of where the cadets are, what they are doing, and check up on them periodically. For example, a cadet unit may practice drill in the parking lot while the adult supervisor remains in the barracks, but the unit may not leave for dinner at the DFAC without the adult supervisor.

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b. Semi-Private Discussions. Adult supervisors who need to mentor or counsel cadets individually during official activities should do so in the presence of a third person when reasonably possible. Alternatively, one-on-one meetings are permitted but not recommended if conducted in a semi-open setting (e.g. office door kept open, or conversing away from, but in sight of, the group, or other circumstances). Cadets are prohibited from meeting one-on-one in a closed environment; an adult leader must be present or other arrangements must be made to minimize the risk of misconduct, such as keeping the door fully open.

c. Transportation. If an adult leader transports cadets other than his or her family members to, from, or during a CACC activity, the party must number at least three (adult driver plus two cadets; or adult driver, second adult, and one cadet). Exceptions to this policy may be granted by the CACC XO if parental/legal guardian permission is attained. In emergency situations, this rule may be waived if the cadet needs to be driven to get medical care; the officer in charge will make the call to waive the three person requirement, including consideration of having another cadet or adult accompany them to watch over the patient.

d. Field Conditions. Cadets will observe the rule of three when out in the field. They may be separate from adult supervisors in a controlled situation such as land navigation courses and survival, as long as they have a method of obtaining adult assistance. It is preferred that cadets stay in groups of four so two can go for help and one can stay with an injured cadet in case of emergency.

e. Favoritism and Gifts. Showing favoritism and receiving gifts from cadets connotes quid pro quo regardless if this is the intent and therefore is strongly discouraged. It breeds resentment and adversely affects morale, esprit de corps and the ability to train effectively. Because of the leadership training model of the CACC promotions and awards come from performance and are considered appropriate without the perception of favoritism. Conversely, there are appropriate consequences for poor performance that are used to influence better performance and behavior within the CACC training concept. Both adult and cadet leaders will ensure that promotions/awards and/or consequences for poor performance do not present the appearance of favoritism.

f. Social Media. Prior to posting anything on social media sites regarding Summer Camp, the poster will coordinate with the CACC S5.

g. Adult Supervisors' Quarters. No adult supervisor will lodge in a tent or barracks room with a cadet who is not a member of his or her immediate family. There will be an adult supervisor assigned to monitor cadets in the barracks after lights out.

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h. Segregation by Gender. Male and female cadets will be assigned to separate quarters. Adult supervisors will establish clear guidelines as to when and how personnel of one gender may enter areas designated for personnel of the opposite gender.

i. Personal Care Time. CACC will respect cadets' reasonable expectations of privacy during times designated for sleeping, dressing, and showering. If all participants share a single shower facility, adult supervisors and cadets will use the showers at separate times, and the ranking cadets will maintain good order in the shower area. Adult supervisors are not to enter the cadet shower and latrine areas during personal care time except in case of emergency. Photography and recording is strictly prohibited in the shower and latrine area. Devices that have cameras are prohibited from the shower areas and must be stowed away when cadets are undressing in the dorm or barracks area.

6. Alignment of Training Goals & Training Intensities.

a. Adult supervisors who supervise cadets must ensure that the activity's training goals and the intensity level of military-style training are age-appropriate and properly aligned. In a training environment, even members of the cadet leadership are learning, and it is to be expected that they will sometimes pursue an inappropriately high training intensity. The system of boundary concerns allows cadet leadership room to make mistakes and learn from them without resorting to formal disciplinary action. Nevertheless, adult supervisors shall not tolerate inappropriate training intensity levels for extended periods of time; if a situation does occur, the ranking officer (by duty assignment) on-scene is responsible for correcting the training methods so that they match the guidelines of CR-3.

b. Mismatched Goals and Intensities.

(1) An inappropriately high level of training intensity does not meet this policy's definition of abuse or hazing unless it causes serious physical harm or serious emotional harm. Inappropriate yelling, using overly stressful physical training (PT) as punishment, and creating an overly-stressful environment and other conduct are examples of inappropriately high training intensities that will be treated as boundary concerns.

(2) If the act causes *serious emotional harm* or *serious physical or sexual harm* it is then deemed abusive.

c. Hazing. By definition, hazing is abusive conduct that takes the form of physical, emotional, or sexual abuse. Hazing shall not be tolerated in CACC, and as with any other instance of suspected abuse, must be reported per para 7. To avoid mistakenly deeming that hazing has occurred, first review para 6 a & b above.

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7. Reporting Requirements. Members who develop a reasonable, good faith suspicion or belief that a cadet has been sexually abused, physically abused, neglected, or emotionally abused will first ensure that the cadet is safe from imminent harm. The member will then contact the XO. Members who fail in this duty will be subject to disciplinary action. For a definition of “abuse” and “reasonable suspicion of abuse,” see para 3. If a cadet does not wish to make a formal report or name an abuser, CACC leaders will still work with the school and parents to provide counseling or medical resources to help them. Mandatory reporters must still follow proper procedures of reporting.

a. Cadets as Reporters. In the Summer Camp intro, cadets will be encouraged to report their reasonable suspicions of abuse to trusted adults, but unlike with adult supervisors, CACC does not discipline cadets for not reporting.

b. Self-Reporting. Members who believe they have been subject to abuse may file a complaint directly to the first adult in the cadet’s chain of command, directly to the XO, or to any trusted adult, who will report it directly to the XO.

c. Mandatory Reporters. Due to their profession, some members are required to report their suspicions of abuse to law enforcement. Mandatory reporters will report in accordance with law, in addition to taking any other actions required by this policy.

d. False Reports. Accusing someone of violating this policy is a serious matter. The repercussions can affect an individual’s personal and professional life. In reporting a reasonable suspicion of abuse, members must strictly limit their report to facts that they personally know to be true. If HQ CACC determines that a member (including cadets) made a report that he or she knew to be false, that individual(s) will be subject to disciplinary action.

8. Status of Accused. Immediately after receiving a report that alleges a reasonable suspicion of sexual, physical, or emotional abuse as described above, the XO will confer with legal counsel. Depending on the nature and severity of the offense, the XO will determine whether the accused member is removed from contact with cadets, retrained, or sent home. The accused member may be retained in a non-supervisory capacity while an investigation is conducted, and if applicable, to interview with law enforcement personnel.

9. Internal Investigations. The complaint and investigation process for allegedly abusive behavior is explained in CR 1-2. After reporting a reasonable suspicion of abuse, members are prohibited from undertaking any further action on the matter without specific authorization. CACC will not undertake an internal investigation if an external investigation is being conducted by the CA Military Department or law enforcement.

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10. Boundary Violations. Complaints that are categorized as boundary violations, but don't rise to the level of abuse as defined in this policy, will be addressed by the chain of command through counseling and training.

11. POC for this policy is the undersigned at grace.edinboro@cadet.org, 925-405-7720.

//Signed//

GRACE E. EDINBORO
COL, CACC
Executive Officer